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To: Microsoft ATR
Date: 12/7/01 1:43pm
Subject: Settlement is Inadequate

DOJ:

The proposed settlement with Microsoft does nothing to break up the illegal
monopoly, does not punish Microsoft for its illegal actions, and does little
to prevent further use of illegal monopoly power.

1 - To prevent further use of monopoly power, Microsoft should be forced to
reveal the code and APIs to software application developers during initial
testing, not during final testing as proposed. By allowing MS to keep the
Windows code secret until the 11th hour, the Justice Department is giving
Microsoft's own application developers a jump start on the competition.

2- To both punish MS and prevent further user of monopoly power, MS should
be broken into 3 separate companies: 1- an OS company, 2- an application
company, 3- an internet/entertainment company. The boards of all three
companies should have no common members for at least 10 years. For at least
10 years, the three companies should be disallowed from entering into any
exclusive business relationship not available to competitors.

3- All future version of Windows should be stripped down to the OS component
only. No bundling of any applications should allowed. By allowing
continued bundling, the justice department is letting Microsoft shut out
smaller competitors.

4- The MS End User License Agreement on server products should be revised to
eliminate Client Application Licenses for connections to the server. MS uses
these CALs to reap revenue when a competitor's product connects to a MS
server.

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